

 <p> Category: Hospitals / Clinical Services Student Affairs </p> <p> Responsible Office: University Life </p>	<p> Policy Title: COVID-19 Vaccination Policy </p> <p> Document Number: 3100 </p> <p> Effective Date: 9/6/2022 </p> <p> This policy item applies to: Community Colleges State-Operated Campuses </p>
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Summary

This policy adopts the State of New York directive that public colleges and universities mandate that all students who intend to engage in-person at a SUNY campus or facility must receive a COVID-19 vaccination, pending final approval by the U.S. Food and Drug Administration ("FDA"). This policy describes the COVID-19 Vaccination requirements in place to protect the health and safety of the SUNY campus communities, including its students, faculty, staff, and others who engage in-person at any SUNY Facility.

Policy

I. General

This policy requires all students accessing SUNY Facilities in-person to receive a COVID-19 Vaccination, with limited exception.

Though this New York State directive does not apply to faculty and staff, all SUNY faculty and staff are strongly encouraged to get vaccinated. However, certain employees, students, and volunteers at SUNY's healthcare facilities may be subject to mandatory COVID-19 Vaccination pursuant to relevant NYS Department of Health regulations.

For the purposes of this policy, "students" are defined as any individual matriculated or otherwise enrolled full-time or part-time at SUNY Facilities as well as visiting, auditing, exchange, continuing education, and international students taking in-person courses at SUNY. The definition of students does not include individuals whose student status is solely due to participation in

workforce training programming arranged directly through their employer, unless specifically designated by the campus. The definition of students also does not include high school students in concurrent enrollment courses offered by a SUNY campus and located at the student's high school or other third-party location. Instead, such high school students must follow the health and safety guidelines and protocols of the physical location where they receive instruction. If the course is delivered at their high school or a third-party location, they must follow the local school district guidelines or the guidelines of the third party. However, if a student takes a course in a SUNY facility, they must follow the applicable SUNY Facility guidelines, including this policy. If a high school student is granted an Exemption as defined herein, they must abide by the applicable COVID-19 related health and safety restrictions for the SUNY Facility where they receive instruction (e.g., appropriate face coverings, social distancing, and surveillance testing). Any student enrolled in a course at a SUNY facility under the age for which at least one COVID-19 Vaccination has received full FDA approval is still subject to this policy but may request a temporary medical accommodation pursuant to Section III(A)(2) below.

This policy is subject to change based upon guidance from governmental authorities or if new federal and/or NYS COVID-19 related requirements are imposed.

II. **Vaccination Requirements**

All students attending a SUNY institution will be provided with information about the COVID-19 Vaccination and must either: (i) receive a COVID-19 Vaccination; or (ii) obtain an approved Exemption as further described below.

- A. **Information.** At least thirty (30) days prior to the start of classes for every term, all SUNY campuses must provide students with appropriate information about COVID-19 and COVID-19 vaccines. Such information shall include, without limitation, COVID-19 infection prevention protocols, where to obtain the COVID-19 vaccine, the benefits and risks of COVID-19 Vaccinations, and the consequences for the failure to obtain a vaccine.
- B. **Receipt of Vaccine.** Students who plan to attend in-person classes and/or utilize in-person services or perform clinical rotations at a SUNY Facility shall provide evidence of being Fully Vaccinated as defined below which means receiving the primary vaccination series (i.e., both doses of a two-dose series or one dose of a single-dose series) of any COVID-19 Vaccination or apply for an Exemption pursuant to this policy. Students must provide such evidence prior to coming to campus and show that such vaccine was received at least two weeks prior to arriving on a SUNY campus for any reason, including, without limitation, moving into a residence hall, attending in-person campus classes and/or entering any SUNY Facility. Proof of COVID-19 antibodies through test results cannot be used as an alternative to receipt of a COVID-19 Vaccination.

International students who obtained a COVID-19 Vaccination outside of the United States may provide documentation signed by a healthcare provider duly licensed to practice medicine in the United States or a foreign country, and such documentation must include the dates of vaccination and name of the COVID-19 Vaccination given. International students who have received COVID-19 vaccines not licensed or under an EUA by the FDA in the United States, or not authorized for emergency use by the World Health Organization ("WHO") (e.g., AstraZeneca/Oxford) may apply for a medical accommodation, as discussed below, which will be addressed in accordance with NYS guidance by each campus on a case-by-case basis. In general, campuses will designate these students as partially vaccinated and they will therefore be subject to the conditions of the medical accommodation until further notice.

International students and COVID-19 unvaccinated students who are traveling abroad

and arrive in the United States to enter SUNY Facilities may be subject to additional quarantine restrictions as determined by the SUNY Facility.

Students who are unable to obtain a COVID-19 Vaccination in their hometown or country of embarkment will have an opportunity to be vaccinated when they arrive in New York State. These students must begin the vaccination process as soon as possible and follow any testing or quarantine requirements prior to arrival as required by the campus. Any such student must also abide by all COVID-19 related health and safety restrictions for all applicable SUNY Facilities (e.g., face coverings, social distancing, and surveillance testing) until Fully Vaccinated.

Campuses have the discretion to impose additional health and safety restrictions as they deem appropriate for their Campus Communities in accordance with applicable guidance as issued by the Chancellor. The campus must work with campus stakeholders in the development of any additional changes and broadly communicate the restrictions to the entire college community.

- C. **Boosters.** All students are strongly encouraged to stay up to date on their vaccinations as defined by the Center for Disease Control and Prevention (CDC), including obtaining any booster authorized by the FDA and recommended by the CDC for their age group. While not required at this time, SUNY reserves the authority to impose a requirement for any booster at any time as a result of changes in local conditions or as a result of requirements imposed by Federal, State or local authorities.

III. Exemptions

A. Allowable Exemption Categories

1. *Online or Fully Remote Exemption.* Students whose course of study is fully remote may be exempted from this vaccine requirement if they will have no physical presence on campus. Campuses may also provide an exemption for fully remote students who have a limited on-campus presence of no more than one visit per week. Such students must submit an attestation to the campus that states they will adhere to the campus presence level agreed to (no presence or limited presence) unless they submit proof of vaccination as indicated above or are granted another Exemption. This Exemption is limited to full remote students and does not apply to students taking any in-person class.
2. *Medical Accommodation.* Students who are not yet Fully Vaccinated and international students who received a COVID-19 vaccine not authorized or approved by the FDA or the WHO may apply for a temporary medical accommodation to allow them time to become Fully Vaccinated. Any such requests will be reviewed and granted on a case-by-case basis by the campus. All students granted a medical accommodation under this section will be subjected to certain restrictions set forth in Sec. III. B. below and may be subject to other restrictions imposed by the campus.
3. *Medical Exemption.*
 - i. Students may be exempt from this vaccine requirement if a duly licensed health care provider certifies in writing that the COVID-19 Vaccination may be detrimental to the student's health. The campus shall provide reasonable accommodations to those students whose medical condition(s) contraindicates COVID-19 Vaccination so long as the failure to be vaccinated does not prevent the student from otherwise fulfilling the

programmatic or curricular requirements of their academic program.

- ii. Any such requests will be reviewed and granted on a case-by-case basis by the campus.
 - iii. All students granted a medical exemption will be subjected to certain restrictions set forth in Sec. III. B. below and may be subject to other restrictions imposed by the campus.
4. *Religious Exemption.* Students who hold genuine and sincere religious beliefs which are contrary to COVID-19 Vaccination may be exempt after submitting a written statement to that effect as required by SUNY Facility. Such statement should explain how receiving the COVID-19 Vaccination conflicts with the student's sincere religious belief or practice and how not receiving the COVID-19 Vaccination will not otherwise prevent the student's completion of their programmatic or curricular requirements of the academic program. General philosophical or moral objections to such vaccine shall not suffice as the basis for a religious exemption. Students granted a religious exemption will be subjected to certain restrictions set forth in Sec. III. B. below and may be subject to other restrictions imposed by the campus.

B. **Additional Considerations for Students with Exemptions**

Students who are granted a medical or religious Exemption pursuant to paragraphs (2), (3), or (4) above, and who will be accessing a SUNY Facility without first receiving a COVID-19 Vaccination, must follow any testing or quarantine requirements prior to arrival as required by the campus. Such students will also be required to adhere to the health and safety protocols implemented by the campus, which may include social distancing, mask-wearing, and additional surveillance testing, among others. Exceptions to the mask-wearing requirement include when students are (1) in their private residential or personal space, (2) eating meals on-campus while seated and social distancing is appropriately enforced, or (3) by themselves. Campuses may impose additional restrictions as needed. Students with approved Exemptions must also be informed by the campus that they may be excluded from all in-person classes and activities at the campus' discretion should a COVID-19 outbreak occur at the campus.

IV. **Unenrollment Process**

Campuses shall undergo an unenrollment process for students who are not in compliance with the requirements of this policy. A student is compliant if they have either: (1) been Fully Vaccinated; (2) had at least one vaccine dose and been granted a temporary accommodation to complete any vaccine series; or (3) been granted an exemption as outlined in Section III(A) above. Campuses may work with students on an individual basis to ensure compliance with this policy, which may include placing students on a temporary leave of absence. Campuses shall follow their published refund schedule for tuition and other campus fees, including for residence halls and apartments.

Definitions

Campus Community(s): Students and faculty, campus-related organization staff, vendors, visitors, and guests who regularly or periodically occupy and/or utilize the facilities of the campus. Campus-related organizations include one or all of the entities associated with the SUNY facility including, without

limitation: Auxiliary Services Corporations, Alumni Associations, Faculty-Student Associations, and SUNY Foundations.

COVID-19: A primarily respiratory disease caused by the SARS-CoV-2 coronavirus.

COVID-19 Vaccination: Any COVID-19 vaccine administered under (i) an FDA Biologics License or an Emergency Use Authorization ("EUA") and approved for use by the New York State Department of Health or (ii) authorized for emergency use by the World Health Organization (WHO).

Facility(s): Any SUNY owned, leased, licensed, or operated space, facility, property, grounds, equipment, motor vehicle, or buildings.

Fully Vaccinated: People are considered fully vaccinated: (1) two weeks after receiving the second dose in a two dose COVID-19 vaccine series or (2) two weeks after receiving a single dose COVID-19 vaccine.

Other Related Information

[New York State COVID-19 Department of Health Information](#)

[State University of New York COVID-19 Information](#)

[State University of New York: Know Your Vax](#)

[U.S. Food and Drug Administration: COVID-19 Vaccines](#)

Procedures

There are no procedures relevant to this policy.

Forms

There are no forms relevant to this policy.

Authority

The following links to FindLaw's [New York State Laws](#) are provided for users' convenience; it is not the official site for the State of New York laws.

[NYS Education Law § 355\(2\)\(h\)](#) (Authority of the SUNY Board of Trustees to regulate the operation and administration of State-operated SUNY campuses).

[NYS Education Law § 355\(1\)\(c\)](#) (Authority of the SUNY Board of Trustees to regulate the operation of community colleges operating under the program of the State University of New York).

In case of questions, readers are advised to refer to the New York State Legislature site for the menu of [New York State Consolidated](#).

History

On [INSERT DATE,] updates were made to: clarify the definition of “student”; to update the reference to applicable SUNY Guidance; to strongly encourage students to receive any recommended boosters; to allow campuses to provide an exemption to fully-remote students with a limited on-campus presence; and to remove various outdated references.

On September 27, 2021, Section IV (Unenrollment Process) was added to the policy.

On September 02, 2021, this policy was updated to reflect minor technical clarifications.

State University of New York Board of Trustees Resolution 21-24 adopted June 23, 2021.

Appendices

There are no appendices relevant to this policy.